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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,718	06/18/2002	Yoshifumi Kitamura	KAK-006	5287

23353 7590 04/23/2004

RADER FISHMAN & GRAUER PLLC  
LION BUILDING  
1233 20TH STREET N.W., SUITE 501  
WASHINGTON, DC 20036

EXAMINER

NGUYEN, PHU K

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 04/23/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/069,718

Applicant(s)

KITAMURA ET AL.

Examiner

Phu K. Nguyen

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

*Phu K. Nguyen*  
PHU K. NGUYEN  
ART UNIT EXAMINER  
(2002 0202)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over HAMAGISHI (5,855,425) in view of SUDO et al. (EP 0 899 969).

As per claim 1, Hamagishi teaches the claimed "multi-person shared display device, which is a display device shared by a plurality of users" (Hamagishi, figure 5), comprising: "a display device, which displays a plurality of video for a plurality of users on a screen" (Hamagishi, the dispersion panel 2b); "a display mask, which is disposed so as to cover said display device separated by a fixed distance" (Hamagishi, the parallax barrier 2C'); "a position sensor, which detects a location of a user in real space corresponding to said display device" (Hamagishi, sensor 10); and "a processing device, which is dynamically combined with said one display device and said position

Art Unit: 2671

sensor, and displays an image corresponding to each user upon said display device in accordance with said position of the user through said position sensor" (Hamagishi, driving and control unit 12). It is noted that Hamagishi does not explicitly teach the display mask having "a sufficiently large hole" as claimed. Sudo teaches that such "sufficiently large hole" on the display mask is well known in the art (Sudo, page 11, lines 25-37). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Sudo, to configure Hamagishi's system as claimed by provide the display mask with "sufficiently large hole" because the proper size of the hole improves the quality of recognized image.

Claim 2 adds into claim 1 "wherein said video to be displayed upon the display device includes video for three-dimensional viewing" which Hamagishi teaches in the 3D image through the stereoscopic display (column 8, lines 26-27).

Claim 3 adds into claim 2 "wherein each user wears a plurality of glasses for separating said video for three-dimensional viewing displayed into that for the right eye and that for the left eye; and the plurality of video, for three dimensional viewing shown on said display device, is images allowing separation between that for the right eye and that for the left eye through said plurality of glasses" which would have been obvious because the glasses yields an effect of the stereoscopic images.

Art Unit: 2671

Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 4 adds into claim 3 the allowable feature "wherein said glasses are glasses in which shutters for the right eye and for the left eye open and close; and said processing device is dynamically combined with said glasses".

Claim 5 adds into claim 3 or claim 4 the allowable feature "wherein said glasses and said position sensor are formed as an integral unit".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (703)305 - 9796. The examiner can normally be reached on M-F 8:00-4:30.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2671

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phu K. Nguyen  
April 19, 2004

*Phu K. Nguyen*  
Phu K. Nguyen  
EBC